

**In the Drawings:**

In Response to the objection to the drawings, applicant hereby submits corrected drawing sheets as required. Applicant believes that, with the current drawing sheets, the drawings are no longer of poor quality and an action acknowledge same is respectfully requested.

## **REMARKS**

In the Office Action mailed April 28, 2010 from the United States Patent and Trademark Office, claims 16-22 were objected to because of the following informalities: in claim 16, line 2, a comma should follow the second occurrence of "cylinder". Appropriate correction is required. In response to the examiners objection, applicant has inserted a comma in the appropriate location and an action acknowledging same is respectfully requested.

Claims 1-23 were rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 1 by deleting "on the same side of door" and inserting language which is definite and an action acknowledging same is respectfully requested.

Claims 1 to 12, 14, 15 and 19 were rejected as being anticipated by U.S. patent number 5651568 (Fortune). Claim 13 was rejected as being obvious over Fortune in view of U.S. patent number 2784993 (Collar), claims 16 to 18 and 21 were rejected as being obvious over Fortune in view of U.S. patent number 2769330 (O'Connell), claim 20 was rejected as been obvious over Fortune in view of U.S. patent number 2651934 (Chesler), and claims 22 and 23 were rejected as being obvious over Fortune in view of O'Connell and Chesler.

The applicant respectfully submits that the rejections applied by the Examiner are all in large part, based on the primary citation, Fortune.

As stated in the first response, the present subject matter as claimed provides a door lock having inner and outer handles which, in a deadlock mode, are prevented from rotational movement relative to the lock body through engagement of a locking member with the internal and outer hubs respectively associated with the inner and outer handles. Thus, claim 1 recites, "characterised in that when the lock is in the deadlock mode the locking member is maintained in

engagement with both the internal and outer hubs to prevent operation of the lock by the handles". This aspect of the claimed subject matter is better understood with reference to Figure 5 of the present application, a copy of which follows immediately below.

Firstly, in relation to the Fortune document, only figures 13 onwards and the corresponding description are relevant to the presently claimed subject matter as the remaining figures and description deal with a dual mode lock rather than a three mode lock. In particular, a three mode lock requires handles or operating means on both sides of the door and the Fortune document in its disclosure of figures 1 to 12 and a corresponding description deals only with a dual mode lock as the illustrated and described the lock of those figures has only a single handle on one side of the door. Therefore, there is no inner and outer handle in the first 12 figures and corresponding description in Fortune.

Further, the lock of the presently claimed subject matter has both the internal and outer hubs on the same side of the door. Although required in the original claim 1, it was not explicitly stated. This arrangement has now been explicitly claimed in the amended claim 1. According to the operation of the lock of the present disclosure, the locking member engages with both the internal and outer hub in the privacy and the deadlock modes.

Even further, applicant has now made explicit that both the inner and outer hubs **are mounted adjacent to either the inner handle or the outer handle**, as explicitly stated in amended claim 1. Applicant respectfully submits that, with this amendment, claim 1 is clearly allowable and an action acknowledging same is respectfully requested.

In response to the examiners rejection of claim 9, applicant has amended claim 9 to definitively state that "the locking member is slidable and/or rotatable between engagement with the hubs and disengagement with the hubs". With this amendment, applicant believes that the

rejection of claim 9 has been obviated and an action acknowledging same is respectfully requested.

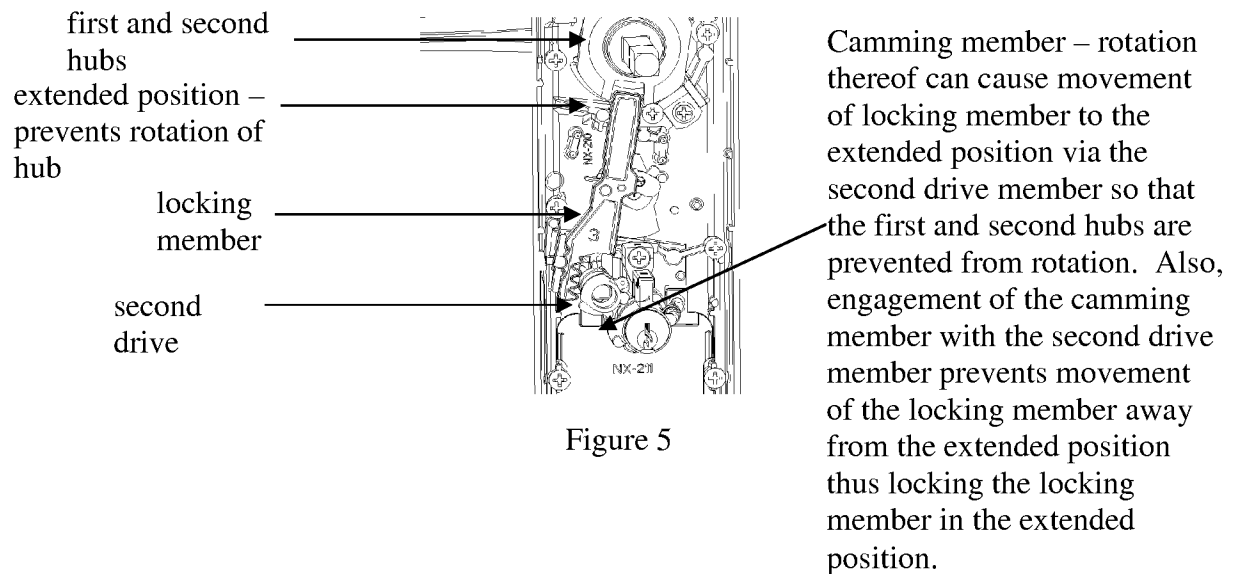


Figure 5

Concerning the Fortune document, applicant respectfully submits that Fortune et al. does not disclose all of the features of amended claim 1. In particular, Fortune does not disclose a locking member (when the lock is in the deadlock mode) that maintains engagement with both the inner and outer hubs to prevent operation of the lock by the handles.

In contrast, in the applied document Fortune et al., "the plate [142'] is cammed to its freeing position by the action of a ramped side edge 160' of a notch on disk 115' on a boss 200 which projects integrally from the front surface of plate 142' below blog 146' (column 9, lines 50-53). Therefore the locking member of Fortune et al. is **NOT** able to maintain engagement with both the internal and outer hubs to prevent operation of lock by the handles. Furthermore, it is respectfully submitted that it would not be obvious to a person skilled in the art to adapt the invention disclosed in Fortune et al. in order to reach the applicant's presently claimed invention, as the invention disclosed in Fortune et al. teaches away from a locking member that maintains

engagement with both the internal and outer hubs to prevent operation of the door by the handles.

Therefore, the Fortune citation does not teach all of the features nor the working interrelationship of the features as defined in claim 1 of the present application addressing the Section 102 issues.

Further, it can be seen that none of the applied references in the Office Action, either alone or in combination, teach or suggest all the limitations claimed in the claim set, as amended. The Applicant also respectfully submits that the office action does not show how one of skill in the art would have found it obvious to overcome the differences between the prior art, particularly the primary citation, Fortune et al., and the claimed subject matter to arrive at the present claims, as there is no disclosure, suggestion or teaching in any of the references of record to overcome these differences.

Since applicant has amended the claims to put them in condition for allowance or in better form for appeal, applicant respectfully requests that the present amendment be entered into the record, as no new search is required and the burdens on the office are greatly lessened by this action and an action acknowledging same is respectfully requested.

## **CONCLUSION**

Based on the preceding arguments, Applicant respectfully believes that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicant invites the Examiner to contact Applicant's representative at the telephone number listed below. We respectfully request that the Examiner reconsider the claims in light of the above remarks and await the notice of allowance. The Director is hereby authorized to charge and/or credit Deposit Account 19-0513.

Date: July 28, 2010

Respectfully submitted,

/Arlen L. Olsen/

Arlen L. Olsen  
Registration No. 37,543  
Customer No: 05409  
Schmeiser, Olsen & Watts  
22 Century Hill Drive, Suite 302  
Latham, New York 12110  
Tel. (518) 220-1850  
Fax: (518) 220-1857